

Message Text

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17

ORIGIN EA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 IO-10 EB-07 SCS-03 SCA-01 CCO-00

PM-03 H-02 INR-07 L-02 NSC-05 PA-01 PRS-01 SP-02

SS-15 DLOS-03 /073 R

DRAFTED BY EA/J:RMDEMING:CB

APPROVED BY EA/LC:LMRIVES

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O 152352Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY TOKYO IMMEDIATE

C O N F I D E N T I A L STATE 114287

E.O. 11652:GDS

TAGS: PFOR, US, JA

SUBJECT: GOJ QUESTIONS ON MAYAGUEZ INCIDENT

REF: STATE 113030

1. JAPANESE EMBASSY COUNSELOR KURIYAMA CALLED ON LAOS/
CAMBODIA COUNTRY DIRECTOR RIVES AFTERNOON OF MAY 15 TO
DISCUSS THREE QUESTIONS WHICH FONOFF HAD INSTRUCTED EMBASSY
TO RAISE WITH DEPARTMENT. QUESTIONS AND ANSWERS GIVEN
BY RIVES FOLLOW:

Q. WHAT ARE THE GROUNDS FOR DETERMINING THAT THE SEIZURE
OF THE MAYAGUEZ WAS ON THE HIGH SEAS?

A. (TAKEN FROM TEXT OF LETTER TO PRESIDENT OF UN SECURITY
COUNCIL) THE VESSEL WAS ON THE HIGH SEAS, IN INTERNATIONAL
SHIPPING LANES COMMONLY USED BY SHIPS CALLING AT THE
VARIOUS PORTS IN SOUTHEAST ASIA. EVEN IF, IN THE VIEW OF
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OTHERS, THE SHIP WERE CONSIDERED TO BE WITHIN CAMBODIAN
TERRITORIAL WATERS, IT CLEARLY WOULD HAVE BEEN ENGAGED IN
INNOCENT PASSAGE TO THE PORT OF ANOTHER COUNTRY. HENCE,
ITS SEIZURE WAS UNLAWFUL AND INVOLVED A CLEAR CUT ILLEGAL

USE OF FORCE.

Q. HAVE WE JUSTIFIED OUR ACTIONS UNDER ARTICLE 51 OF THE UN CHARTER? DID WE MAKE A REPORT TO THE UN? CAN THE GOJ QUOTE US AS HAVEING DONE SO?

A. YES.

Q. PRESS REPORTS INDICATE THAT AFTER THE RELEASE OF THE CREWMEN THE US BOMBED CAMBODIAN INSTALLATIONS IN THE VICINITY OF KOMPONG SOM. WHAT WERE THE FACTS AND WHAT IS THE EXPLANATION FOR THIS SEQUENCE OF EVENTS?

A. WE TOOK APPROPRIATE MILITARY ACTION TO SECURE THE RELEASE OF THE SHIP AND ITS CREW AND TO ASSURE THE SUCCESS OF THE OPERATION (FROM REFTEL).

2. KURIYAMA ASKED FOR FULL TEXT OF US LETTER TO SECURITY COUNCIL IN ACCORDANCE WITH ARTICLE 51 WHICH WE PASSED HIM. KURIYAMA ALSO RAISED QUESTIONS ABOUT PRECISE LOCATION OF SHIP AT TIME OF SEIZURE. RIVES RESPONDED THAT IT WAS SEVEN OR EIGHT MILES FROM ISLAND BUT EMPHASIZED THAT KEY POINT WAS THAT IT WAS ENGAGED IN INNOCENT PASSAGE. KISSINGER

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Margaret P. Grafeld
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